

United States Attorney Southern District of New York

MEMO ENDORSED

86 Chambers Street New York, New York 10007

July 31, 2014

Pre-motion conference to discuss Plaintiffle motion for summary judgment is scheduled for Nov. 25, 2014 at 10:30am. Dated: Aug. 5, 2014
White Plains, My
SO ORDERED:

HON NECSON S. ROMÁN UNITED STATES DISTRICT JUDG

VIA FACSIMILE Hon. Nelson S. Román United States District Judge

United States District Court 300 Quarropas Street

White Plains, New York 10601

Scheuering v. Slaughter, et al., No. 14 Civ. 932 (NSR) Re:

Dear Judge Román:

This Office represents the United States of America (the "Government") and individual defendants Jim Grimes, Maureen Green, Maureen Judge, Bill Banowsky, Esther Gonzalez, Rebecca Detoro, and Layne Carver, as well as defendant Henry Slaughter in his official capacity (together with the Government, the "Federal Defendants"). The Federal Defendants have moved to dismiss, as have two additional individual non-federal defendants who are represented by the Proskauer law firm. These motions will be fully briefed on August 7, 2014.

On July 23, 2014, plaintiff Carl A. Scheuering filed his opposition to the motions to dismiss on the Court's electronic docket, together with a purported motion for summary judgment. See dkt. items 58, 60. As an initial matter, plaintiff's motion appears to be filed in contravention of Your Honor's rules. See, e.g., Individual Practices in Civil Cases, Rule 3.A. (requiring a pre-motion letter); Special Rules of Practice in Civil Pro Se Cases, Rule 7 (requiring compliance with Rule 3.A of the Individual Practices), Moreover, it appears that the pending motions to dismiss may fully dispose of this action. Accordingly, in the interests of efficiency, the Federal Defendants respectfully request that plaintiff's motion for summary judgment be held in abeyance while the Court considers the motions to dismiss. We have conferred with counsel for the non-federal defendants and are authorized to state that they join in this request and letter.

Respectfully submitted,

PREET BHARARA

United States Attorney

SDC SDNY

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By:

MICHAEL J. BYARS

Assistant United States Actorney

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cc: Carl A. Scheuering, Plaintiff, pro se (via Federal Express) Lawrence S. Elbaum, Esq. (via ECF)

Copies mailed have 8 5 12014 6 Chambers of Nelson S. Román, U.S.D.J.

TOTAL P.02

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

. CARL A. SCHEUERING,

Plaintiff,

ν.

UNITED STATES OF AMERICA, HENRY SLAUGHTER, JIM GRIMES, MAUREEN GREEN, MAUREEN A. JUDGE, BILL R. BANOWKSY, VANESSA FLEMING, GERARD BOUCHER, ESTHER GONZALEZ, R. DETORO, and LAYNE CARVER,

Defendants.

ECF CASE

14 Civ. 932 (NSR)

CERTIFICATE OF SERVICE

I, Michael J. Byars, Assistant United States Attorney for the Southern District of New York, hereby certify that on July 31, 2014, I caused a copy of the Government's letter dated July 31, 2014, to be served by Federal Express on:

Carl A. Scheuering, pro se 12 Barnett Road West Monroe, New York 10950

Dated: New York, New York July 31, 2014

MICHAEL J. BYAF

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